

Application No: 21/00462/FUL Author: Maxine Ingram
Date valid: 11 March 2021 ☎: 0191 643 6322
Target decision date: 6 May 2021 Ward: Weetslade

Application type: full planning application

Location: Land Adjacent To, 5 Elm Villas, Hazlerigg, NEWCASTLE UPON TYNE

Proposal: Variation of condition 1 (approved plans) and 4 (Levels) of planning approval 14/01470/FUL - amendments to heights and elevations (amended plans received 11.08.2021)

Applicant: Mr Islam, 7 Elm Villas Hazlerigg NEWCASTLE UPON TYNE NE13 7DJ

Agent: BW Architecture, Mr Brian Wood 104 Great Lime Road Westmoor Newcastle Upon Tyne NE12 7DQ

RECOMMENDATION: Application Permitted

INFORMATION

1.0 Summary Of Key Issues & Conclusions

1.0 The main issues for Members to consider in this case are:

- The impact on amenity (visual and residential); and,
- Other issues.

1.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Members need to consider whether this application accords with the development plan and also take into account any other material considerations in reaching their decision.

2.0 Description of the Site

2.1 The site to which this application relates is a parcel of land which is situated to the rear of South View. The site now accommodates two detached dwellings that were granted planning permission in 2014.

2.2 To the west of the site is No. 5 Elm Villas. To the north the site are the residential properties of Melness Road and the site backs directly onto the rear gardens serving Nos. 57 and 59. To the east of the site are the residential properties of Pader Close. To the south of the site is a rear lane, beyond which lies the residential properties of South View.

2.3 The immediate surrounding area is characterised by a variety of property types.

3.0 Description of the Proposed Development

3.1 Planning permission is sought to vary conditions 1 (approved plans) and 4 (levels) of planning approval 14/01470/FUL. The plans are required to be amended to deal with the increase in height and elevations.

3.2 The proposed variations to the above conditions are as follows:

- Increase in levels across the site. The applicant has advised that the levels across the site have increased by 0.29m to 0.54m.
- The height of the front dwelling has increased from approximately 9.8m to 11m.
- Removal of gable features to the front of the rear property.
- Removal of Juliette balconies to front and rear of the rear property.
- Removal of bow window to front of the rear property.
- Additional rooflight to front roof slope.
- Additional ground floor window to gable (serving a garage).
- Additional window to gable in roof space (serving a bedroom).
- Alterations to roof lantern over rear projection.
- Footprint of rear property (eastern side) staggered.
- Additional bedroom to loft space.
- Alteration to main roof over rear property to reduce the height by approximately 1.154m from the dwelling as built.

4.0 Relevant Planning History

14/01470/FUL - Erection of 2no two storey dwellings – Permitted 17.11.2014

5.0 Development Plan

5.1 North Tyneside Local Plan (2017)

6.0 Government Policies

6.1 National Planning Policy Framework (NPPF) (July 2021)

6.2 National Planning Practice Guidance (NPPG) (As amended)

6.3 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in the determination of all applications. It requires Local Planning Authorities (LPAs) to apply a presumption in favour of sustainable development in determining development proposals. Due weight should still be attached to Development Plan policies according to the degree to which any policy is consistent with the NPPF.

PLANNING OFFICERS REPORT

7.0 Detailed Planning Considerations

7.1 The principle of the works approved via planning application 14/01470/FUL for the construction of two detached residential dwellings has already been established and this is not being reconsidered as part of the current application.

7.2 Within the current application the applicant is proposing the variation of conditions 1 (approved plans) and 4 (levels) to deal with the increase in height and alterations to the elevations.

7.3 The main issues for Members to consider in this case are:

- The impact on amenity (visual and residential); and,
- Other issues.

7.4 Consultations responses and representations received as a result of the publicity given to this application are set out in the appendix to this report.

8.0 The impact on amenity (visual and residential)

8.1 The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: an economic objective; a social objective; and an environmental objective. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

8.2 Paragraph 126 of the NPPF encourages good design stating that “this is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. Paragraph 134 of the NPPF makes it clear that development of a poor design should be refused.

8.3 LP Policy S1.4 of the Local Plan states that development proposals should be acceptable in terms of their impact upon local amenity for new or existing residents and businesses, adjoining premises and land uses.

8.4 LP Policy DM6.1 of the Local Plan states that proposals are expected to demonstrate a positive relationship to neighbouring buildings and spaces and a good standard of amenity for existing and future residents and users of buildings and spaces.

8.5 Objections have been received from Nos. 55, 57, 59, 61 and 65 Melness Road, Nos. 5 and 6 Pader Close and Nos. 3 and 5 Elm Villas. These objections are noted and are set out in the Appendix to this report.

8.6 The application site is located within an existing built environment, predominantly a residential setting. The immediate surrounding area is characterised by a variety of properties terraced, semi-detached and detached. The visual appearance and scale of the built form in the immediate surrounding area also varies. The external alterations to the dwellings are set out in paragraph 3.2 of this report. Members need to consider whether these alterations are acceptable in terms of their impacts on the character and appearance of the immediate surrounding area. It is officer advice that the alterations to the façade of the dwellings are acceptable. However, further consideration is required regarding the alteration to the roof design of the rear dwelling. This is considered below.

8.7 The 2014 grant of planning permission considered two detached dwellings at a height of approximately 9.8m to be acceptable in terms of their visual impact on the character and appearance of the surrounding area. This application must consider whether the increase in height and levels is acceptable, particularly the rear dwelling by virtue of its positioning within the northern part of what was an infill site in 2014. The increase in height to the front dwelling is considered to be acceptable. Visually it would be preferable for the rear dwelling to retain a pitched roof. Having regard to the objections raised, it was considered necessary to contact the applicant to discuss reducing the height of the rear dwelling. The roof design has been amended to reduce the overall height of the rear dwelling by removing the uppermost part of the roof. Whilst this is not a common design approach within the immediate vicinity, it is considered necessary in this instance, to assist in reducing the impacts on the amenity of Nos. 57 and 59 Melness Road similar to the impacts considered acceptable in 2014. Members need to consider whether this design approach is acceptable. On balance, it is officer advice, that this design approach is considered to be acceptable.

8.8 The dwelling sited in the southern part of the site is located to the east of No. 5 Elm Villas. Based on the submitted site plan, this dwelling sits slightly beyond the front and rear of this neighbouring property. The single storey porch and single storey rear projection sit beyond the building lines of this neighbouring property. Immediately to the east of this dwelling are Nos. 3, 4 and 5 Pader Close. No. 4 Pader Close directly overlooks the gable of this dwelling; a separation distance of approximately 14.7m exists. No. 5 Pader Close mainly affords views of the single storey rear projection and the rear garden serving this dwelling. The siting of the dwelling and the separation distances that exist are considered acceptable in terms of the outlook from these neighbouring properties.

8.9 The dwelling sited in the northern part of the site is located to the east of the rear garden serving No. 5 Elm Villas. Immediately to the east of this dwelling are Nos. 7, 8 and 9 Pader Close. Nos. 7 and 8 Pader Close directly overlook the gable of this dwelling; a separation distance of approximately 12.1 and 12.4m exists. No. 9 Pader Close mainly affords views of the single storey rear projection and the rear garden serving this dwelling. Immediately to the north of the site are Nos. 57 and 59 Melness Road. Based on the plans provided, the single storey rear projection serving this dwelling is sited approximately 8m from the rear gardens serving these properties. The siting of the dwelling and the separation distances that exist are considered acceptable in terms of the outlook from these neighbouring properties.

8.10 The front dwelling, by virtue of its siting, is not considered to significantly affect the residential amenity of Nos. 3 and 5 Elm Villas, in terms of loss of outlook.

8.11 The front dwelling would afford views over the rear garden serving Nos. 3 and 5 Elm Villas. These views would mainly be afforded from the two rear first-floor bedroom windows rather than ground floor windows. However, it is not uncommon in residential areas for first floor bedroom windows to afford views over neighbouring gardens. The impacts from the first-floor bathroom window can be controlled by ensuring this window is obscure glazed. A condition is

recommended for the window proposed to the west gable (roof space) to be obscure glazed. On balance, it is not considered that the front dwelling would significantly affect the privacy of these neighbouring properties.

8.12 The rear dwelling would afford views towards No. 5 Elm Villas and over part of its rear garden. These views are not direct as this dwelling would be located to the north east of this neighbouring property. These views would mainly be from the first-floor bedroom windows rather than ground floor windows. However, it is not uncommon in residential areas for first floor bedroom windows to afford views over neighbouring gardens. The impacts from the first-floor bathroom window can be controlled by ensuring this window is obscure glazed. A condition is recommended for the window proposed to the west gable (roof space) to be obscure glazed. On balance, it is not considered that the front dwelling would significantly affect the privacy of this neighbouring property.

8.13 The rear dwelling is located immediately to the south of Nos. 57 and 59 Melness Road. The garages serving these neighbouring properties are sited between the properties. Direct views from this dwelling towards these neighbouring properties would be afforded, mainly from the first-floor windows (two bedrooms and a bathroom) and at ground floor the windows serving the kitchen and doors serving the dining room. In 2014, it was accepted that there would be a degree of overlooking. Albeit, the levels have increased in height, it is not considered that the impacts previously accepted would result in a greater degree of overlooking from the two first floor bedroom windows. The impacts from the first-floor bathroom window can be controlled by condition to ensure this window is obscure glazed. With regards to the ground floor windows and doors, it is accepted that the levels would increase the degree of overlooking than previously accepted. However, given the separation distance that would exist and the existing boundary treatment (brick wall and timber fencing), the impact on privacy is considered to be acceptable. A condition is recommended to secure the level details of this rear garden to ensure that the finished surfacing materials do not result in a significant increase in levels that would impact on the amenity of these neighbouring properties.

8.14 Obscure views from the first-floor windows of the bedroom windows of the rear dwelling over the rear gardens serving Nos. 55 and 61 Melness Road. These are not direct views and it is not uncommon in residential areas for first floor bedroom windows to afford views over neighbouring gardens. On balance, the impacts on the privacy of these neighbouring properties is acceptable.

8.15 The front dwelling and rear dwelling, by virtue of their siting, would not significantly affect the privacy of Nos. 3, 4, 5 and 6 Pader Close. However, there are concerns regarding the wrap around kitchen window and the impact this would have upon the privacy of Nos. 8 and 9 Pader Close. A condition is recommended to ensure that any windows to the east gable are obscured glazed and fixed shut and a further condition is recommended to ensure no further windows are installed to the gable.

8.16 It is not considered that the outlook from No. 6 Pader Close or its privacy would be significantly affected as a result of the dwellings.

8.17 To ensure the privacy of Nos 3-9 Pader Close are protected when existing and future occupants of these dwellings are using the access to the east side of the dwellings conditions are recommended to secure the level details of this part of the site to ensure that the finished surfacing materials do not result in a significant increase in levels that would impact on the amenity of these neighbouring properties and secure an appropriate height and type of boundary treatment.

8.18 The rear dwelling would be located immediately to the south of Nos. 57 and 59 Melness Road. In 2014, it was accepted that the rear dwelling would affect the amount of light entering these properties at certain times of the day. However, the increase in levels has resulted in a higher development than previously approved. To assist, in dealing with this issue, the rear roof design has been redesigned to reduce the overall height. The reduction in height assists in reducing the impacts caused by increasing the levels. On balance, the impact on the amount of light entering these neighbouring properties is not considered to be sufficient to sustain a recommendation of refusal.

8.19 The dwellings (mainly the rear dwelling), by virtue of their siting, would affect the amount of light entering part of the rear garden serving No. 5 Elm Villas, at certain times of the day. However, this impact is not considered to be sufficient to sustain a recommendation of refusal.

8.20 The dwellings, by virtue of their siting, would affect the amount of light entering the properties of Pader Close, mainly Nos. 4-9, at certain times of the day. The main impact would occur during parts of the afternoon and evening. This impact is not considered to be sufficient to sustain a recommendation of refusal.

8.21 It is not considered that the rear dwelling, by virtue of its siting, would significantly affect the amount of light entering Nos. 55 and 61 Melness Road.

8.22 It is not considered that the dwellings would significantly affect the residential amenity of the properties of South View.

8.23 It is noted that the height of boundary treatments has been provided on the submitted site plan. Considering the objections raised and following a site visit, a condition is recommended to secure the final details of all boundary treatments. This condition is considered reasonable and necessary to ensure that an appropriate boundary treatment can be secured following the level details required for the garden areas, access and any hard surfacing within the site.

8.24 The relationship between the dwellings is considered to be acceptable for an infill site.

8.25 Members need to determine whether the variations to the conditions as set out in paragraph 3.2 of this report are acceptable in terms of their impact on the amenity of the area (visual and residential). It is officer advice the variation to the conditions are acceptable. As such, it is officer advice, that the proposed variations to the conditions comply with the advice in the NPPF and LP Policies DM6.1.

9.0 Other Issues

9.1 Impact on highway safety

9.2 The NPPF paragraph 111 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.3 LP Policy DM7.4 'New Development and Transport' makes it clear that the Council will ensure that the transport requirements of new development, commensurate to the scale and type of development, are taken into account and seek to promote sustainable travel to minimise environmental impacts and support resident's health and well-being.

9.4 The Council's maximum parking standards are set out in the Transport and Highways SPD (LDD12).

9.5 The objections received relating to parking provision are noted.

9.6 It is noted that the number of bedrooms has increased from five to six. The site is accessed from a lane which serves Nos. 3 and 5 Elm Villas and properties of South View. Each dwelling has a garage. The front dwelling has an area of hardstand immediately to the front of the property. The rear dwelling is accessed via a drive located to the west of Pader Close. The rear dwelling has an area of hardstand immediately to the front of the property. The parking provision within the site would only serve these two dwellings. It is not considered that the parking provision required to meet the needs of these dwellings would result in a severe impact on the highway.

9.7 The Highways Network Manager has been consulted. He has raised no objection to the variation of conditions application.

9.8 Members need to consider whether the proposed site layout is acceptable in terms of its impact on highway safety. It is officer advice that it is.

10.0 Other matters

10.1 Paragraph 167 of the NPPF states "When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment...."

10.2 The objections regarding surface water run-off and drainage are noted.

10.3 The application site is not located within a critical drainage area and the scale of development does not warrant a Flood Risk Assessment. However, due to the increase in levels it is considered appropriate to impose a condition requiring details of surface water management within the site and how this is controlled to prevent surface water run-off onto neighbouring land. A levels condition for all the land within the application site outside the footprint of the dwellings is required. This is required to ensure that appropriate surfacing materials and levels are achieved.

10.4 The Manager for Environmental Health has been consulted. She has recommended conditional approval.

10.5 Newcastle International Airport Limited (NIAL) has been consulted. They have raised no objections.

11.0 Local Financial Considerations

11.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to local finance considerations as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local financial consideration as a grant or other financial assistance that has been, that will or could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments).

11.2 The proposal involves the creation of two dwellings. Granting planning permission for new dwellings therefore increases the amount of New Homes Bonus, which the Council will potentially receive. The New Homes Bonus is a government grant for each home built equivalent in value to the average Band D Council Tax charge in England in the preceding year. New Homes Bonus is paid to the Authority each year for new homes completed for a period of four years from the completion of each new home. An additional sum is paid for each empty home brought back in to use and for each affordable home delivered.

11.3 In addition, the new homes will bring additional revenue in terms of Council Tax and jobs created during the construction period.

11.4 Members should give appropriate weight to amongst all other material considerations to the benefit of the Council as a result of the monies received from central Government.

12.0 Conclusion

12.1 Members need to determine whether the proposed development is acceptable in terms of its impact on amenity (visual and residential). It is the view of officers that the proposed development is acceptable. As such, officers consider that the proposed development does accord with national and local planning policies.

12.2 Approval is recommended.

RECOMMENDATION: Application Permitted

Conditions/Reasons

1. The development to which the permission relates shall be carried out in complete accordance with the approved plans and specifications
Lowered roof elevations Dwg No. 1470/06B
Levels as proposed and as built Dwg No. 1470/05B
Proposed site plan Dwg No. 1470/07B

Proposed ground floor Dwg No. 1470/01

Proposed first floor Dwg No. 1470/02

Proposed loft 1470/03

Reason: To ensure that the development as carried out does not vary from the approved plans.

2. Notwithstanding Condition 1, within two months of the date of this decision notice a detailed site plan showing the location of all boundary treatments and its height above ground level within the site and the existing levels of all adjacent neighbouring gardens shall be submitted to and approved in writing by the Local Planning Authority. These agreed details shall be implemented within one month of the date of the decision of the relevant discharge of conditions application and thereafter shall be permanently retained and maintained.

Reason: To ensure that the proposed development does not adversely effect the privacy and visual amenities at present enjoyed by the occupiers of neighbouring properties, and to ensure a satisfactory environment within the development having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

3. Notwithstanding Condition 1, within two months of the date of this decision notice, a surface water drainage scheme to manage surface water runoff from all of the land within the application site shall be submitted to and approved in writing by the Local Planning Authority. This scheme must include the existing levels of all of the land within the site that is located outside the footprint of the dwellings from a known datum point and the existing levels of neighbouring land, details of all surfacing materials and demonstrate how surface water runoff from the site is directed away from neighbouring land into an appropriate drainage system. This agreed scheme shall be implemented within two months of the date of the decision of the relevant discharge of conditions application and thereafter shall be permanently retained and maintained.

Reason: To ensure that the work is carried out at suitable levels in relation to adjoining properties to protect the amenity of neighbouring land having regard to the NPPF.

4. Notwithstanding Condition 1, within one month of the date of the decision notice an area shall be laid out within the site for vehicles to turn in accordance with the approved drawing and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

5. Each dwelling hereby approved shall be provided with refuse storage (refuse, recycling and garden waste) at the premises and thereafter shall be permanently retained.

Reason: In order to safeguard the amenities of the area having regard to policy DM6.1 of the North Tyneside Local Plan (2017).

6. Notwithstanding Condition 1, all first floor rear bathroom windows and the first floor en-suite window (east) and the ground floor garage window shall of each dwelling hereby approved shall, up to a minimum height of 1.7 metres

above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass to a Level 3 or above. The windows(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).

7. Notwithstanding Condition 1, the window sited in the west elevation of each dwelling hereby approved shall be fixed shut and glazed in obscure glass to a Level 3 or above. The windows(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).

8. No (further) windows, doors or openings of any kind shall be inserted in the flank elevations of the development hereby permitted without prior, express planning permission of the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring properties having regard to policy DM6.2 of the North Tyneside Local Plan (2017).

9. Restrict Hours No Construction Sun BH HOU04 *

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, D, E and F of Part 1 of Schedule 2 shall be carried out without the prior, express planning permission of the Local Planning Authority.

Reason: In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality having regard to policy DM6.1 and DM6.2 of the North Tyneside Local Plan (2017).

Statement under Article 35 of the Town & Country (Development Management Procedure) (England) Order 2015):

The Local Planning Authority worked proactively and positively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

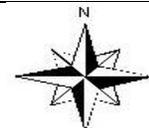


Application reference: 21/00462/FUL
Location: Land Adjacent To, 5 Elm Villas, Hazlerigg
Proposal: Variation of condition 1 (approved plans) and 4 (Levels) of
planning approval 14/01470/FUL - amendments to heights and elevations
(amended plans received 11.08.2021)

Not to scale

Date: 16.09.2021

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Appendix 1 – 21/00462/FUL
Item 2

Consultations/representations

1.0 Ward Councillors

1.1 Councillor Muriel Green has requested that this application is presented to Members of Planning Committee

2.0 Internal Consultees

2.1 Highways Network Manager

2.2 The variation of conditions are acceptable. Approval is recommended with all other conditions and informatives applicable.

2.3 Recommendation - Approval

2.4 Manager for Environmental Health (Pollution)

2.5 I have no objection in principle to this application but I would recommend conditions to address construction hours and dust mitigation during the construction phase are reattached to any approval.

HOU04
SIT03

3.0 Representations

3.1 14 objections have been received. These objections are set out below:

- Inadequate drainage
- Inappropriate design
- Loss of visual amenity
- Out of keeping with surroundings
- Inappropriate design
- Not in accordance with development plan
- Will result in visual intrusion

-It is welcomed to see the applicant has dropped the ridge height of the rear dwelling to the previously approved height in planning application 14/01470/FUL. However, they have not provided any mitigation or design changes to other objections that have been raised which are also causing harm to mine and neighbouring properties including loss of privacy, insufficient poor/drainage and insufficient parking for the rear dwelling.

-Adversely affected by the rear plot on this development which has not been built in accordance with the approved plans.

-There is a discrepancy in the plans. It is suggested by the applicant that the difference in height to the rear house is 0.481m, but when considering approved height that was originally granted, this difference is 0.945m. Whatever the total increase in height the council still has to consider the merits. As it is undoubtedly higher than approved, our rear elevation and rear amenity space by orientation of the sun's path is crucial. This unauthorised building is due south of our rear amenity space and habitable roof, so it has the maximum adverse impact possible. Since this building was erected sunlight in the winter months has been lost to the dining/living room with severe overshadowing both in late summer and early spring to the rear garden. In addition, because of the higher ground level of

the building, the prospective occupants of the rear ground floor will have direct line of sight over the current wall which is standard height to the rear into our private spaces and habitable rooms. Consequently, we have suffered loss of sunlight and daylight as well as prospective loss of privacy.

-The adopted development plan, in order to be up to date, must be consistent with NPPF. The Framework requires all new development to “create better places in which to live”. This is “in order to make development acceptable to communities”. The Framework amended in March 2019 at paragraph 124 requires “well designed places”, and that is this “fundamental”. Consequently, it does not create better places to live, it fails the test, and is unsustainable development as defined.

-Whilst the ground floor overlooking harm may be overcome by amending the application to raise the rear boundary means of enclosure to a suitable height (which is urged) it will not overcome the overshadowing. Accordingly, planning permission cannot be granted. The development can alter the roof to reduce its height at the ridge. This would not be unduly complex and have very limited visual impact to other residents. It is clearly proportionate to do so.

-Unless the applicant amends the current plans in order to result in no greater height, than approved planning permission must be refused. The council would in the absence of the agreement with the developer to mitigate this harm, also need to consider taking enforcement action, such that the roof to be altered to approved height. The building is not yet occupied and is clearly a matter for the developer to use its resources to overcome the problems that it has created, it should not be a matter for third parties to bear the consequences of breach of planning control for the decades this building will otherwise exist. The suggested alterations to make this scheme satisfactory in planning terms are entirely proportionate, not punitive but remedial, and therefore expedient.

-This would severely reduce natural light to our property and garden as at the moment due to the houses being higher than ours we already lose a lot of light, not only this when the properties were built they didn't do the correct drainage which ruined most gardens on the street we have a small garden as it is and would like to sit in it at summer but due to drainage we cannot dry the grass out. The driveway at the moment is not flush with our property which means the proposed plan will be higher than ours. Also I would like to say that while building work has been on going we have found stuff in our garden from the builders which include, rubbish, bricks, nails (and I have 3 children under the age of 10 playing out) with the height request I personally feel like it would start my anxiety as having a small garden anyway would feel like were blocked in.

-We would accept a request for the fence to be in line with ours but not exceeding the height.

-I am not sure if you are aware that all the houses on Pader Close are military housing so there are times the houses are left empty for some time. I think this is why there were no objections about the houses originally being built because the quarters will not have been occupied as there was due to be a mass troop move in 2015 to these houses. I truly believe if they were occupied at the time there would have been many objections to these builds. Anyway, I understand that is now out of my control as the houses are now there, so I'd like to preserve what little garden and sun light we now have due to these builds. Our garden constantly floods due to raising the properties at least a foot if not more above our ground level and not putting correct drainage in which causes most of our garden to be unusable most of the year. We get very little sun on our grass due

to this property, so what little we get we can only hope in them times the sun is warm enough to help dry our garden. We get very little sun of an evening in the garden but don't see how it's fair we also lose that because he wants to put such a high fence line up and take what natural sunlight we get in to the lower part of our house. We are a family that loves to be out in the garden, and we are losing that choice more and more. We are also in what I called a wind tunnel, so the gardens get very windy. If a solid fence is put up, we stand no chance of enjoying the garden at any time, as I believe this will only make the wind situation even worse. This fence line is going to be above our shed; I believe tall posts have been placed as a marker so we can see just how high it is going to be.

-As these buildings are now higher by a large amount, I now have no privacy in the back of my house. Due to the whole house being higher than it should be all windows are higher than they should have been meaning every window in the back of that house can see into my house and my garden.

-This was not what was planned or granted at the time of the original plans going in yet they have been signed off on one house and the other house was still built knowing the foundations weren't correct, I can't see why someone else's mistake should have this kind of impact on my family and my property.

-I also find that now these houses are built, the extra height is blocking out the sun in my garden, this is leading the garden being sodden for a lot longer than it used to be, the ground takes a good few weeks longer to dry out than previously and in some parts it doesn't even dry out at all and with two young children needing to get outside especially during restrictions the back garden being useable is a necessity.

-These houses as they are, have a massive detrimental impact on the value of my property, due to the now lack of privacy and a south facing garden with next to no sun, the planning can't be granted without changes being made. I honestly can't see the point in the planning process if once granted you can then just get away with doing what you want, what an utter shambles.

-The rear property did not have a west facing window in the original planning application (2nd floor). This window overlooks our garden and rear of house resulting in a loss of privacy. With young grandchildren using this area this is far from an ideal situation with future owners uncertain.

-We have spoken to the owner who said he had spare stonework so put the window in. He also said at the worst he would make this a non-opening frosted window. It was also said that this window would be inside the shower, but the revised plans show it as part of a bedroom.

-I have received the letter regarding amendments to heights and elevations therefore I am writing to complain about loss of amenity more specifically increased intrusion due to the increase in height on the ground floor which the boundary treatment does not cover and the loss of natural light/sunlight has increased due to the ridge height being higher than what was originally approved. Also, it's out of keeping with the surrounding houses due to its size in the community.

-Adjust the roof and increase the fence height to protect our privacy.

-In addition, it looks like the people there are putting up a second poly tunnel right beside our gardens and fences and closer to our houses than their own house. It is disgusting. Do they plan on keeping chickens there again? More farm animals? I would like to request this be pulled down, Saturday 3rd April the people there were banging away at it, just awful.

-As both houses have not been built according to the approved plans, it has led to many discrepancies including ground levels, eaves levels and overall heights.

-I raised my concerns regarding heights to the planning department in February 2016 ref ENF/16/00047/BUILD. My concerns were over ruled and building was allowed to continue with the case being closed. Now more than 5 years later I have been invited to express my views on amendments to heights and elevations. Unbelievable. It would seem from the outset that we have been totally let down by the decisions made on this development.

-The issue I have with this new plan is that regardless of what you do to the top of the house to bring it back to the correct previously approved plans you are still not reducing the other issues connected to this issue.

-The house has been built higher off the ground than should have been therefore causing major issues with runoff water from the garden into all the neighbouring gardens, this is not just a small issue, this is a lot of water during the wettest times of the year leaving gardens completely sided and in some parts flooded, this needs addressed immediately coming back into the autumn/winter months.

-The second issue is the loss of privacy, again as the foundations are too high it means all the windows are higher than they should be, this means you can see straight into the windows from that house into mine and vice versa, this is a major issue.

4.0 External Consultees

4.1 Newcastle International Airport Limited (NIAL)

4.2 No comment.